

**ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA
NOTICE OF PUBLIC HEARING**

TIME AND PLACE: **Thursday, January 17, 2013, @ 6:30 P.M.**
 Jerrily R. Kress Memorial Hearing Room
 441 4th Street, N.W., Suite 220
 Washington, D.C. 20001

FOR THE PURPOSE OF CONSIDERING THE FOLLOWING:

CASE NO. 09-22 (MR Ballpark 4 LLC - Capitol Gateway Overlay District Review @ Square 700 Lots 43 & 866)

THIS CASE IS OF INTEREST TO ANC 6D

On December 28, 2009, the Office of Zoning received an application from MR Ballpark 4, LLC ("Applicant"). The Applicant is requesting review and approval of new office building with ground floor retail uses pursuant to the requirements of the Capitol Gateway (CG) Overlay District set forth in 11 DCMR § 1610 of the Zoning Regulations. In addition, pursuant to 11 DCMR § 1610.7, the Applicant is seeking variance relief from the street-wall setback requirements for new construction along South Capitol Street, S.E., pursuant to 11 DCMR § 1605.5, and the loading requirements of 11 DCMR § 2201.1.

The site includes approximately 35,558 square feet of land area. Square 700 is bounded by M Street on the north, Van Street on the east, N Street on the south, and South Capitol Street on the west in southeast Washington, D.C. The site has approximately 236 linear feet of frontage along South Capitol Street, 150 feet of frontage along M Street, S.E., and 150 feet of frontage along Van Street, S.E. The site is located within the CR District and within the CG Overlay.

The Applicant proposes to develop the site with a new twelve-story office building with ground floor retail. The proposed building will have an overall density of approximately 9.25 FAR and will rise to a maximum height of 130 feet. The building will contain between approximately 9,900 and 17,260 square feet of gross floor area devoted to retail use. The building will also include a four-level underground parking garage that provides a total of 310 parking spaces.

This public hearing will be conducted in accordance with the contested case provisions of the Zoning Regulations 11 DCMR § 3022.

Except for the affected ANC, any person who desires to participate as a party in this case must clearly demonstrate that the person's interests would likely be more significantly, distinctly, or uniquely affected by the proposed zoning action than other persons in the general public. Persons seeking party status **shall file with the Commission, not less than 14 days prior to the date set for the hearing, a Form 140 – Party Status Application, a copy of which may be downloaded from the Office of Zoning's website at: <http://dcoz.dc.gov/services/app.shtm>.** This form may also be obtained from the Office of Zoning at the address stated below.

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Written statements, in lieu of personal appearances or oral presentations, may be submitted for inclusions in the record.

If an affected Advisory Neighborhood Commission (ANC), pursuant to 11 DCMR 3012.5, intends to participate at the hearing, the ANC shall also submit the information cited in § 3012.5 (a) through (i). The written report of the ANC shall be filed no later than seven (7) days before the date of the hearing.

The following maximum time limits for oral testimony shall be adhered to and no time may be ceded:

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| 1. | Applicant and parties in support | 60 minutes collectively |
| 2. | Parties in opposition | 60 minutes collectively |
| 3. | Organizations | 5 minutes each |
| 4. | Individuals | 3 minutes each |

Pursuant to § 3020.3, the Commission may increase or decrease the time allowed above, in which case, the presiding officer shall ensure reasonable balance in the allocation of time between proponents and opponents.

Information should be forwarded to the Director, Office of Zoning, Suite 200-S, 441 4th Street, N.W., Washington, D.C. 20001. Please include the number of this particular case and your daytime telephone number. **FOR FURTHER INFORMATION, YOU MAY CONTACT THE OFFICE OF ZONING AT (202) 727-6311.**

ANTHONY J. HOOD, MARCIE I. COHEN, ROBERT MILLER, PETER G. MAY, AND MICHAEL G. TURNBULL ----- ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA, BY SARA A. BARDIN, DIRECTOR, AND BY SHARON S. SCHELLIN, SECRETARY TO THE ZONING COMMISSION.